

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

GLADYS L. WOODS,)
)
)
Plaintiff,) 1:05CV635
)
v.)
)
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
)
Defendant.)

ORDER

On January 5, 2007, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. 636(b). No objections were filed within the time limits prescribed by § 636. Therefore, the Court reviews the Recommendation for clear error. Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir.2005) (explaining that "in the absence of a timely filed objection, a district court . . . must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation'" (quoting Fed. R. Civ. P. 72 advisory committee's note)).

For the reasons stated in the Recommendation, the Commissioner's decision is REVERSED under sentence four of 42 U.S.C. § 405 (g) and the case is REMANDED to the Commissioner for further proceedings as discussed in the Magistrate Judge's Recommendation. To this extent, Plaintiff's Motion for Summary Judgment (Doc. # 12) is GRANTED and Defendant's Motion for Judgment on the Pleadings (Doc. # 14) is DENIED.

This the 26th day of October, 2007.

/s/ N. Carlton Tilley, Jr.
United States District Judge